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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

CHAPTER 13 PLAN - MODIFIED AND RELATED MOTIONS

Name of Debtor(s): Krystina Taylor Bell Case No: 10-31826-DOT

This plan, dated _____ January 13, 2012 ____, is:

- \Box the *first* Chapter 13 plan filed in this case.
- a modified Plan, which replaces the
 - ■confirmed or □unconfirmed Plan dated 3/18/10.

Date and Time of Modified Plan Confirming Hearing: February 22, 2012 at 11:10 A.M.

Place of Modified Plan Confirmation Hearing: 701 E. Broad St, Room 5100, Richmond, VA

The Plan provisions modified by this filing are:

1: Modify Funding, 2-B: Provide for Priority Claim, 3-D: Provide for Secured Claim

Creditors affected by this modification are: **County of Henrico**

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing. If no objections are timely filed, a confirmation hearing will NOT be held.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: **\$20,282.00**

Total Non-Priority Unsecured Debt: \$188,883.00

Total Priority Debt: **\$30.00**Total Secured Debt: **\$17,427.58**

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- 1. Funding of Plan. The debtor(s) propose to pay the trustee the sum of \$350.94 Monthly for 21 months, then \$440.00 Monthly for 39 months. Other payments to the Trustee are as follows: NONE . The total amount to be paid into the plan is \$ 24,529.74 .
- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$ 2,345.00 balance due of the total fee of \$ 3,000.00 concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

Creditor	Type of Priority	Estimated Claim	Payment and Term
County of Henrico	Taxes and certain other debts	30.00	Prorata
			1 months

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

CreditorCollateralPurchase DateEst Debt Bal.Replacement ValueWachovia DealerMotor Vehicle: 2004 Acura RL 3.5 w/07/0718,000.0014,550.00Services89.300 miles

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

<u>Creditor</u> <u>Collateral Description</u> <u>Estimated Value</u> <u>Estimated Total Claim</u>

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C. Adequate Protection Payments.

The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

Creditor Collateral Description Collateral Description Adeq. Protection Monthly Payment To Be Paid By

Wachovia Dealer Services Motor Vehicle: 2004 Acura RL 3.5 w/ 89,300 miles Trustee

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, **whichever is less**, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. **Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.**

Creditor	Collateral	"Crammed Down" Value	Rate	Monthly Paymt & Est. Term**
County of Henrico	Miscellaneous Personal Property	317.58	0%	5.29
				60 months
Wachovia Dealer	Motor Vehicle: 2004 Acura RL 3.5	14,550.00	4.25%	286.90
Services	w/ 89,300 miles			56 months

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

4. Unsecured Claims.

- A. Not separately classified. Allowed non-priority unsecured claims shall be paid pro rata from any distribution remaining after disbursement to allowed secured and priority claims. Estimated distribution is approximately ____1
 %. The dividend percentage may vary depending on actual claims filed. If this case were liquidated under Chapter 7, the debtor(s) estimate that unsecured creditors would receive a dividend of approximately ____0
 %.
- B. Separately classified unsecured claims.

Creditor	Basis for Classification	Treatment
-NONE-		

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- 5. Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any existing default under 11 U.S.C. § 1322(b)(5).
 - A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid by the Trustee either pro rata with other secured claims or on a fixed monthly basis as indicated below, without interest unless an interest rate is designated below for interest to be paid on the arrearage claim and such interest is provided for in the loan agreement.

		Regular		Arrearage		Monthly
		Contract	Estimated	Interest	Estimated	Arrearage
Creditor	<u>Collateral</u>	Payment	Arrearage	Rate	Cure Period	Payment
BMW Bank of North	Motor Vehicle: 1995 BMW 525i	198.00	0.00	0%	0 months	
America	w 180,000 miles					

B. Trustee to make contract payments and cure arrears, if any. The Trustee shall pay the creditors listed below the regular contract monthly payments that come due during the period of this Plan, and pre-petition arrearages on such debts shall be cured by the Trustee either pro rata with other secured claims or with monthly payments as set forth below.

		Regular			Monthly
		Contract	Estimated Interest	Term for	Arrearage
Creditor	Collateral	Payment	Arrearage Rate	Arrearage	Payment
-NONE-					

C. Restructured Mortgage Loans to be paid fully during term of Plan. Any mortgage loan against real estate constituting the debtor(s)' principal residence upon which the last scheduled contract payment is due before the final payment under the Plan is due shall be paid by the Trustee during the term of the Plan as permitted by 11 U.S.C. § 1322(c)(2) with interest at the rate specified below as follows:

Datiment of

		interest	Estimated	
Creditor	Collateral	Rate	Claim	Monthly Paymt& Est. Term**
-NONE-				

- **6. Unexpired Leases and Executory Contracts.** The debtor(s) move for assumption or rejection of the executory contracts and leases listed below.
 - **A. Executory contracts and unexpired leases to be rejected.** The debtor(s) reject the following executory contracts.

Creditor	Type of Contract
NONE	

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

			Monthly	
			Payment	Estimated
Creditor	Type of Contract	Arrearage	for Arrears	Cure Period
-NONE-				

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- 7. Liens Which Debtor(s) Seek to Avoid.
 - A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

<u>Creditor</u> <u>Collateral</u> <u>Exemption Amount</u> <u>Value of Collateral</u>

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

<u>Creditor</u> <u>Type of Lien</u> <u>Description of Collateral</u> <u>Basis for Avoidance</u>

- 8. Treatment and Payment of Claims.
 - All creditors must timely file a proof of claim to receive payment from the Trustee.
 - If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
 - If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
 - The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- **9. Vesting of Property of the Estate.** Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- 10. Incurrence of indebtedness. The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:
 - I. Payment of Adequate Protection
 - All adequate protection payments set forth in Section 3.C are to be paid through the Trustee.
 - The Debtor(s) shall pay regular post-petition contract payments to the creditors listed in Section 5.A., and such payments shall also constitute adequate protection payments to such creditors. Accordingly, the Trustee shall not pay adequate protection payments to creditors listed in Section 5.A.
 - No adequate protection payments are to be paid to any creditors unless the Plan provides for the payment of adequate protection of such claim(s) through the Trustee in Section 3.C. or directly by the Debtor(s) in Section 5.A., or unless the Court orders otherwise.

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Signatures:			
Dated: Jai	nuary 13, 2012		
/s/ Krystina T			/s/ Elizabeth C. Brogan VSB
Krystina Tayl	or Bell		Elizabeth C. Brogan VSB 76539
Debtor			Debtor's Attorney
Exhibits:	Copy of Debtor(s)' Bu Matrix of Parties Ser	ndget (Schedules I and J); wed with Plan	
		Certificate of Service	
I certi Service List.	ify that on	2012 , I mailed a copy of the foregoin	ng to the creditors and parties in interest on the attached
		/s/ Elizabeth C. Brogan VSB	
		Elizabeth C. Brogan VSB 76539	
		Signature	
		P.O. Box 11588	
		Richmond, VA 23232	
		Address	
		(804) 358-9900	
		Telephone No.	

Ver. 09/17/09 [effective 12/01/09]

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B6I (Off	cial Form 6I) (12/07)			
In re	Krystina Taylor Bell		Case No.	10-31826-DOT
		Debtor(s)		

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S) - MODIFIED

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DEB'	TOR AND SE	POUSE		
Divorced	RELATIONSHIP(S): Daughter	AGE(S): 22	months		
Employment:	DEBTOR		SPOUSE		
Occupation					
Name of Employer	City of Richmond				
How long employed					
Address of Employer					
INCOME: (Estimate of average of	or projected monthly income at time case filed)		DEBTOR		SPOUSE
	nd commissions (Prorate if not paid monthly)	\$	3,000.00	\$	N/A
2. Estimate monthly overtime	1 2/	\$	0.00	\$	N/A
3. SUBTOTAL		\$_	3,000.00	\$	N/A
4. LESS PAYROLL DEDUCTIO	NS				
a. Payroll taxes and social se		\$	328.94	\$	N/A
b. Insurance	·	\$	89.18	\$	N/A
c. Union dues		\$	0.00	\$	N/A
d. Other (Specify): De	eferred Compensation	\$	200.00	\$	N/A
_		\$	0.00	\$	N/A
5. SUBTOTAL OF PAYROLL D	EDUCTIONS	\$	618.12	\$	N/A
6. TOTAL NET MONTHLY TAK	KE HOME PAY	\$	2,381.88	\$	N/A
7. Regular income from operation	of business or profession or farm (Attach detailed statement)	\$	0.00	\$	N/A
8. Income from real property	•	\$	0.00	\$	N/A
9. Interest and dividends		\$	0.00	\$	N/A
10. Alimony, maintenance or suppression dependents listed above	port payments payable to the debtor for the debtor's use or that	of \$	500.00	\$	N/A
11. Social security or government (Specify):	assistance	\$	0.00	\$	N/A
	-	<u> </u>	0.00	\$ _	N/A
12. Pension or retirement income	_	\$	0.00	\$	N/A
13. Other monthly income		· -		_	
(Specify): Federal and	State Tax Refunds Amortized	\$	12.66	\$	N/A
		\$	0.00	\$	N/A
14. SUBTOTAL OF LINES 7 TH	ROUGH 13	\$_	512.66	\$	N/A
15. AVERAGE MONTHLY INCO	OME (Add amounts shown on lines 6 and 14)	\$	2,894.54	\$	N/A
16. COMBINED AVERAGE MO	NTHLY INCOME: (Combine column totals from line 15)		\$	2,894	.54

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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B6J (Off	icial Form 6J) (12/07)			
In re	Krystina Taylor Bell		Case No.	10-31826-DOT
		Debtor(s)		

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) - MODIFIED

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22		erage monthly
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete expenditures labeled "Spouse."	ete a separato	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	745.00
a. Are real estate taxes included? Yes No X		
b. Is property insurance included? Yes No X		
2. Utilities: a. Electricity and heating fuel	\$	0.00
b. Water and sewer	\$	0.00
c. Telephone	\$	0.00
d. Other See Detailed Expense Attachment	\$	355.00
3. Home maintenance (repairs and upkeep)	\$	0.00
4. Food	\$	250.00
5. Clothing	\$	0.00
6. Laundry and dry cleaning	\$	0.00
7. Medical and dental expenses	\$	150.00
8. Transportation (not including car payments)	\$	250.00
 Recreation, clubs and entertainment, newspapers, magazines, etc. Charitable contributions 	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	\$	0.00
a. Homeowner's or renter's	\$	0.00
b. Life	\$ \$	50.00
c. Health	\$ \$	0.00
d. Auto	\$ \$	91.24
e. Other	\$ ———	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	Ψ	0.00
(Specify) Personal Property	\$	13.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the	Ψ	10.00
plan)		
a. Auto	\$	0.00
b. Other	\$ 	0.00
c. Other	\$ 	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other See Detailed Expense Attachment	\$	550.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	2,454.24
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:20. STATEMENT OF MONTHLY NET INCOME	_	
a. Average monthly income from Line 15 of Schedule I	\$	2,894.54
b. Average monthly expenses from Line 18 above	\$	2,454.24
c. Monthly net income (a. minus b.)	\$	440.30

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B6J (Official Form 6J) (12/07)		
In re Krystina Taylor Bell	Case No. 10-31826-D	ОТ
Debtor(s)		
SCHEDULE J - CURRENT EXPENDITURES OF IND	OIVIDUAL DEBTOR(S) - MODI	FIED
Detailed Expense Attach	ment	
Other Utility Expenditures:		
Cell Phone	\$	155.00
Anticipated Utilities	\$	200.00
Total Other Utility Expenditures	\$	355.00
Other Expenditures:		
Haircuts and Personal Grooming	\$	30.00
Miscellaneous Expense	\$	120.00
Childcare	\$	400.00
Total Other Expenditures	\$	550.00

Office of the US Trustee 701 E. Broad Street Room 4304 Richmond, VA 23219

AES Student Loan Servicing Center P.O. Box 2461 Harrisburg, PA 17105-2461

AES/PHEAA P.O. Box 8147 Harrisburg, PA 17105

Argosy University 1550 Wilson Blvd, STE 600 Arlington, VA 22209

Ascension Capital Group RE: BMW Bank of North America PO Box 201347 Arlington, TX 76006-9788

AT&T Mobility P.O. Box 536216 Atlanta, GA 30353-6216

BMW Bank of North America 5550 Britton Pkwy Hilliard, OH 43026-7456

Capital 1 Bank PO Box 30285 Salt Lake City, UT 84130

Citibank Student Loan Corp c/o Citibank (Nevada), N.A. PO BOX 6615
The Lakes, NV 88901-6615

County of Henrico Department of Finance P.O. Box 90775 Henrico, VA 23273-0775 County of Henrico Treasury Division P.O. Box 90775 Henrico, VA 23273-0775

Deutschelt 1200 N. 7th Street Harrisburg, PA 17105

ECMC PO Box 75906 Saint Paul, MN 55175

Enhanced Recovery Corporation Re: HSBC 8014 Bayberry Rd Jacksonville, FL 32256

First Premier Bank Attn: Bankruptcy Dept. PO Box 5524 Sioux Falls, SD 57117-5524

GEICO One GEICO Blvd. Fredericksburg, VA 22412-0001

Glasser & Glasser RE: Peninsula Emer PO BOX 3400 Norfolk, VA 23514

Great Lakes Key Education Resources PO BOX 3059 Milwaukee, WI 53201-3059

HSBC Attn: Bankruptcy Department PO Box 5253 Carol Stream, IL 60197

JPMorgan Chase Bank, 7255 Baymeadows Way Jacksonville, FL 32256

Kendall Creek Apartments 1700 Hunter Ridge Lane Norcross, GA 30092

Macy's Re: Bankruptcy PO Box 689195 Des Moines, IA 50368

Macys DSNB 911 Duke Blvd Mason, OH 45040

NATL COLEG 1200 North 7th Street Harrisburg, PA 17102

NCO Re: Natl Coleg 507 Prudendial Road Horsham, PA 19044

NCO Fin Systems Inc. Re: AES Student Loans 11214 Renner Road Lenexa, KS 66219

Nelson, Watson, & Assoc RE: Cap One PO BOX 1299 Haverhill, MA 01831

NST/ GLELSI PO BOX 7860 Madison, WI 53704

Omni Credit Services RE: Macy's P.O. Box 23381 Tampa, FL 33623-3381

Palisades Acquisition XVI LLC Vativ Recovery Solutions, LLC PO Box 40728 Houston, TX 77240-0728

Peninsula Emergency Phys. PO BOX 7422 Hampton, VA 23666-0422

Procollect 12170 N. Abrams, Suite 100 RE: Kendall Creek A Dallas, TX 75243

Russell Williams 4205 Montclair Road Richmond, VA 23223

Sallie Mae Re: Bankruptcy 1002 Arthur Drive Lynn Haven, FL 32444

Scana Security
Attn: Bankruptcy □Dept.
P.O. Box 7815
Columbia, SC 29202

Southwest Credit Syste RE: AT&T Wireless 5910 W Plano Pkwy Ste 10 Plano, TX 75093

United First Federal Financial P.O. Box 80016 Indianapolis, IN 46280

University Alliance 9417 Princess Palm Avenue Tampa, FL 33619

Wachovia Dealer Services PO Box 25341 Santa Ana, CA 92799

Wachovia Student Loan P.O. Box 78846 Phoenix, AZ 85062

WFNNB/EXPRESS Attn: Bankruptcy Dept 220 W. Schrock Road Westerville, OH 43081